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C O N F I D E N T I A L SECTION 01 OF 02 BEIRUT 000479

SIPDIS

DEPT FOR NEA/FO, NEA/ELA
ALSO FOR IO ACTING A/S WARLICK
P FOR DRUSSELL, RRANGASWAMY
USUN FOR WOLFF/GERMAIN/SCHEDLBAUER
NSC FOR SHAPIRO, MCDERMOTT
DRL/NESA FOR WHITMAN, BARGHOUT

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TAGS: [PREL](#) [PGOV](#) [PHUM](#) [LE](#) [SY](#)
SUBJECT: LEBANON: NO PROGRESS ON ISSUE OF LEBANESE
DETAINEES IN SYRIA

REF: A. BEIRUT 0046
[1](#)B. 08 BEIRUT 1173

Classified By: Ambassador Michele J. Sison for reasons 1.4
(b) and (d).

SUMMARY

[1](#)1. (C) In August 2008, we reported on the situation of the reported 600-plus Lebanese detainees in Syria and noted the possibility that there might be progress on this issue with the re-establishment of diplomatic relations between Lebanon and Syria, among other factors (Ref B). However, eight months later, the situation remains unchanged despite efforts by NGOs, the UN, and Lebanese parliamentarians. Several of these NGOs and parliamentarians, as well as ministers, are pushing for the formation of a "National Commission of Inquiry" to develop a comprehensive database and compel Lebanese intelligence services to provide information they are believed to possess on the detentions. Both parliament and cabinet members are too focused on Lebanon's June 7 parliamentary elections to make progress on the detainee issue. End summary.

JOINT COMMISSION A FAILURE

[1](#)2. (C) According to Nadim Houry of Human Rights Watch, the joint Lebanese-Syrian commission, established in 2005 under PM Najib Mikati to investigate the status of a reported 600 Lebanese citizens detained by the Syrians during the 1975-1990 civil war, has yet to publicly release any of its findings. Judge Joseph Maameri, who heads the commission, told PolOff on April 6 that he submits his reports to the President, the PM, and the Justice Minister. Recalling that the commission most recently met on March 14, he said the commission has met at the Syrian-Lebanese border every 45 days since its inception. Though in 2005 he submitted a list of names of missing Lebanese suspected to be in Syria, Maameri reported that the Syrians claim at each meeting to have no information on the detainees. He implied that the commission would continue to meet, but was unlikely to make any progress.

SYRIAN GOVERNMENT STILL
DENIES THERE IS A PROBLEM

13. (C) UN Special Coordinator for Lebanon (UNSCOL) Michael Williams raised the issue with Syrian FM Walid Moallem and Deputy FM Faisal Mekdad in November 2008 and a few months later for a second time. According to UNSCOL PolOff Salvatore Pedulla, the Syrian officials denied the existence of Lebanese victims of "enforced disappearances" in Syria, pointing instead to the 100 plus Lebanese jailed for committing criminal acts. Pedulla said Moallem further responded by raising the issue of Syrian citizens detained in Lebanon. (Note: Moallem acknowledged the Lebanese detainee issue while visiting Beirut in July 2008. End note.)

COMPETING NGOS CONTINUE
LOBBYING FOR RESOLUTION

14. (C) On April 11, the families of the detainees marked the four-year anniversary of the sit-in they maintain in front of the UN ESCWA building in downtown Beirut. Ghazi Aad, head of the NGO known as "Support of Lebanese in Detention and Exile" (SOLIDE), reported to EmbOffs that the group clashed with security forces on that day when attempting to deliver a letter to parliament. Aad explained that the letter requested that parliament discuss the issue in its regular legislative session in the presence of SOLIDE representatives. Parliament SYG Adnan Daher reportedly promised Aad that Speaker Nabih Berri would raise the issue in the next parliamentary session. (Note: Parliament convened on April 21, but has not met since for lack of a

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quorum; the current majority wants to avoid action on certain bills. End note.)

15. (C) Aad added that his organization also sent letters to President Michel Sleiman, Interior Minister Ziad Baroud, and Justice Minister Ibrahim Najjar requesting the formation of a "National Commission of Inquiry" to investigate the detainees' situation. According to Aad, Najjar agreed to raise the issue in cabinet, but Aad believed that the ministers are currently too focused on the June 7 parliamentary elections to address the matter. Najjar told DCM on April 22 that he supported the idea, while noting that he doubted there were any living detainees in Syria, not an uncommon view. (Note: Once PM Fouad Siniora agrees to include the topic on the agenda, the cabinet may vote on a decree to form the commission. End note.)

16. (C) Kamal El Batal, co-founder of "The Association of the Lebanese Political Detainees in Syria" (Ref A), shared Aad's assessment that the GOL was unlikely to focus on this issue in the near future. He maintained to EmbOffs that a UN Security Council Resolution establishing an investigation commission with Chapter VII authority was the best option. He scoffed at Aad's approach with parliament and criticized him for politicizing the issue. (Comment: Aad's organization tends to align itself with Free Patriotic Movement leader Michel Aoun while El Batal's group can be characterized as pro-March 14. End comment.) El Batal requested funding from the USG to hire program assistants.

17. (C) Pedulla relayed privately that UNSCOL has been advising the NGOs and urging collaborative efforts. He said several organizations (not including El Batal's group) are united in their call for a national commission and have secured the blessing of Baroud and MP Ghassan Mukheiber. Pedulla reported that other NGOs working on the issue are considering suing the Lebanese government because they believe the intelligence services are withholding information.

PARLIAMENTARIANS ARE
ALSO PUSHING FOR ANSWERS

¶8. (C) In an April 21 meeting with PolOff, Mukheiber affirmed his support for the national commission, arguing that the existing joint commission did not have the capability to conduct the fact-finding mission necessary to develop a comprehensive database. He said the commission has relied on both the conflicting NGOs' databases and the Syrians' database. Instead, he explained, a comprehensive database could match details about missing individuals with details on remains found. Once the database is developed, Mukheiber continued, the commission would have the authority to press Lebanese intelligence services to release information he believes they possess.

¶9. (C) Mukheiber relayed that both he and MP Ibrahim Kenaan have filed questions on the detainee issue to parliament, a formal process obligating parliament to respond. Further, Mukheiber said he submitted a bill requesting indemnification for the families of the detained, comparable to what was offered to family members of Lebanese held in Israeli jails. Both the questions and the draft bill remain tabled, with no response.

SISON